REMARKS

This is in response to the Office Action mailed on March 24, 2004. As indicated in the Office Action Summary, claim 1 is allowed, claims 2, 6-8, 12, and 13 are rejected, and claims 4-5 and 9-11 are objected to as being dependent upon the rejected base claim. The Office Action Summary does not address claims 13-17. Within the Detailed Action, claims 1-2, 6-8, and 12-13 are rejected, claims 13-17 are allowed, and claims 4-5, 9-11, and 14-17 are objected to as being dependent upon a rejected base claim. However, it is further stated that the allowability of claim 13 is withdrawn.

In a telephone conference on May 18, 2004 between the Examiner and Applicant's representative Gayle A. Bush, the Examiner stated that the Detailed Action controls in determining the status of the claims. Therefore, Applicant's understanding of the Office Action mailed on March 24, 2004 is that claims 1-2, 6-8, and 12-13 are rejected, and claims 4-5, 9-11, and 14-17 are objected to as being dependent upon a rejected base claim.

Claims 1-2, 6-8, and 12-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kant et al. (U.S. Patent 6,215,629). To anticipate a claim, a single prior art reference must teach or describe each and every element as set forth in the claim, either expressly or inherently. MPEP § 2131; citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

The third element of claim 1 recites "means for selectively altering a position of a slider, the means for selectively altering mounted to the means for flexibly coupling and the means for selectively altering extending from a distal end of the stationary region to a proximal end of the moving region generally along a longitudinal centerline of the stationary region."

In Kant et al., the Examiner states the load beam 18 is a stationary region of the load beam, the slider support member 66 is a moving region of the load beam, and piezoelectric elements 62 and 64 are means for selectively altering a position of the slider. However, Kant et al. does not disclose piezoelectric elements 62 and 64 extending from a distal end of a stationary region to a proximal end of a moving region, as required by claim 1. In FIG. 3, the piezoelectric elements 62 and 64 extend from a distal end of plate 78 to a proximal end of plate 76. The slider support member

66 is attached to the longitudinal center portion of beams, preferably to the exact midpoint of beams. (Kant et al. col. 3, ll. 7-13). FIG. 3 shows that the beams connect to a mid-section of slider support member 66 and therefore do not extend to a proximal end of a moving region.

Further, Kant et al. does not disclose means for selectively altering a position of a slider that extends generally along a longitudinal centerline of the stationary region as required by claim 1. Each word of the claim must be given it broadest reasonable interpretation. MPEP § 2111.01. If the piezoelectric elements 62 and 64 are the means for selectively altering a position of the slider, they do not extend along a longitudinal centerline of the stationary region. The piezoelectric elements 62 and 64 are shown in FIG. 2 as extending longitudinally but not along the centerline of the stationary region. Kant et al. does not disclose the piezoelectric elements 62 and 64 extending from a distal end of the stationary region to a proximal end of the moving region generally along a longitudinal centerline of the stationary region.

Kant et al. does not disclose means for selectively altering a position of a slider extending from a distal end of the stationary region to a proximal end of the moving region generally along a longitudinal centerline of the stationary region. Therefore, claim 1 is not anticipated by Kant et al.

Independent claim 2 requires a flexure for supporting a slider carrying a transducing head and independent claim 13 requires a flexure configured to support a transducing head. Kant et al. does not teach, suggest or describe a flexure. Kant et al. teaches a slider that is attached to a moving portion 66 of a microactuator 50, which is rigidly attached to the load beam 18 and does not teach, suggest or describe a separate flexure. Therefore, Kant et al. does not anticipate independent claims 2 and 13. Dependent claims 4-12 include each and every element of independent claim 2 and dependent claims 14-17 include each and every element of independent claim 13 and are therefore not anticipated by Kant et al.

Claim 2 requires a flexible beam having a first end and a second end, the first end being connected to the first section of the load beam and the second end being connected to the flexure wherein the bending motor is attached to the flexible beam. Kant et al. does not teach,

suggest or describe a flexible beam with a first end connected to the first section of the load beam and the second end connected to the flexure. In Kant et al., the slider support member 66 is attached to the longitudinal center portion of beams 52 and 54, and preferably to the exact midpoint of beams 52 and 54. (Kant et al. col. 3, ll. 7-13). Because Kant et al. does not disclose each and every element of claim 2, claim 2 is not anticipated by Kant et al. Dependent claims 4-12 include each and every element of independent claim 2 and are therefore not anticipated by Kant et al.

Claim 13 requires a beam having a first end and a second end, wherein the first end is connected to the head suspension and the second end is connected to the flexure. Kant et al. does not teach, suggest or describe a flexible beam with a first end connected to the first section of the load beam and the second end connected to the flexure. In Kant et al., the slider support member 66 is attached to the longitudinal center portion of beams 52 and 54, and preferably to the exact midpoint of beams 52 and 54. (Kant et al. col. 3, ll. 7-13). Because Kant et al. does not disclose each and every element of claim 13, claim 13 is not anticipated by Kant et al. Dependent claims 14-17 include each and every element of independent claim 13 and are therefore not anticipated by Kant et al.

Applicant believes that the above amendment and response places the pending application in condition for allowance and respectfully requests a notice of allowance.

Respectfully submitted,
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